

TEXAS TRANSPORTATION COMMISSION

Harris County

MINUTE ORDER

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Houston District

Transportation Code, §191.001 and §191.002 establish height requirements for structures over railroad tracks and distance requirements of structures and materials near railroad tracks. Texas Transportation Code §191.005 establishes that the Texas Transportation Commission (commission), for good cause shown, may, by order, permit a railroad company or other corporation, firm, partnership, or individual or county or municipality to deviate from a provision of the statute.

The Texas Department of Transportation (department) received an application from ExxonMobil Chemical Company requesting a clearance deviation at their rail served loading rack #27 located at 5000 Bayway Drive, Baytown, Texas. The department has investigated the location to determine whether good cause could be shown and whether the deviation could be operated in a reasonable and safe manner.

In determining whether the facility has demonstrated good cause for the requested clearance deviations, the department considered:

- (1) federal and state requirements at loading rack #27;
- (2) the safety of employees working near railroad tracks and loading rack #27;
- (3) limited clearances from new equipment installed and modified structures on loading rack #27.

In determining whether the requested clearance deviations are reasonable and safe, the department reviewed the facility plans and site and determined the facility will include sufficient:

- (1) warning signs, pavement markings, lighting and/or other control devices to inform employees of the limited clearance locations; and
- (2) safety rules, speed restrictions, operations requirements, and training to address employee safety.

Based on the investigations, the department has determined that the clearance deviations as listed in Exhibit A meet the requirements of Transportation Code §191.005 and recommends approval. The Attorney General of Texas has been notified as required by §191.005(a).

IT IS THEREFORE ORDERED by the commission that the railroad clearance deviation application from ExxonMobil Chemical Company for their rail served loading rack #27 located in Baytown, Texas as described in Exhibit A is approved.

Submitted and reviewed by:

Recommended by:

DocuSigned by:

*Peter Espy*

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Director, Rail Division

DocuSigned by:

*James H. Bass*

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Executive Director

115974 Feb. 25 2021

Minute  
Number

Date  
Passed

Exhibit A

CD-2020-01-00157  
ExxonMobil Chemical Company  
5000 Bayway Drive  
Baytown, Texas 77520

Number	Reduced Clearance Description	City	Location	Clearance	Required Minimum	Reduced Clearance	RR Stationing
1	North Track Rail Served Loading Racks	Baytown	Loading Rack #27	Horizontal	8 Feet 6 Inches	7 Feet 6 Inches	MP 21.89
2	South Track Rail Served Loading Racks	Baytown	Loading Rack #27	Horizontal	8 Feet 6 Inches	7 Feet 6 Inches	MP 21.89
3	North Track Fall Protection (Employee Safety When Working Above Railcars)	Baytown	Loading Rack #27	Vertical	22 Feet 0 Inches	18 Feet 0 Inches	MP 21.89
4	South Track Fall Protection (Employee Safety When Working Above Railcars)	Baytown	Loading Rack #27	Vertical	22 Feet 0 Inches	18 Feet 0 Inches	MP 21.89

Date: 1/5/2021